

BARNES, IACCARINO, VIRGINIA,
AMBINDER & SHEPHERD, PLLC
111 Broadway, 14th Floor
New York, New York 10006
(212) 943-9080
Attorneys for Plaintiffs

UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY

BRUCE DEL TURCO, VINCENT DELAZZERO, THOMAS LANE and JAMES BARTALONE, as Trustees and Fiduciaries of the TILE LAYERS LOCAL UNION 52 PENSION, INSURANCE AND WELFARE, AND ANNUITY FUNDS, ROBERT WELTER, RONALD ADDE, JAMES BARTALONE, JOSEPH CURVINO, JR., LOUIS FILIPPI and BRUCE DEL TURCO, as Trustees and Fiduciaries of the TILE FINISHERS LOCAL UNION NO. 77 OF NY & NJ PENSION, WELFARE AND ANNUITY FUNDS and JOHN J. FLYNN, LOUIS WEIR, DOMINIC SPANO, KENNETH LAMBERT, FRANK STUPAR, JAMES BOLAND, GERALD O'MALLEY, JOSEPH BRAMLETT, GEORGE HARBISON, PAUL SONGER, CHARLES VELARDO, EUGENE GEORGE, MATTHEW AQUILINE, DAN SCHIFFER, JOSEPH SPERANZA, JR. and VINCENT DELAZZERO as Trustees and Fiduciaries of the BRICKLAYERS & TROWEL TRADES INTERNATIONAL PENSION, HEALTH AND ANNUITY FUNDS,

Plaintiffs,

-against-

BRB CERAMIC TILE MARBLE & STONE, INC. and WILLIAM J. LARDIERI,

Defendants.

Index No.

06 Misc. 281 (FSH)

**EX PARTE
ORDER FOR
TURNOVER**

This matter having been brought before the Court on the application of Plaintiffs Bruce Del Turco, Vincent Delazzero, Thomas Lane and James Bartalone, as Trustees and Fiduciaries of the Tile Layers Local Union 52 Pension, Insurance and Welfare, and Annuity Funds, Robert Welter, Ronald Adde, James Bartalone, Joseph Curvino, JR., Louis Filippi and Bruce Del Turco, as Trustees and Fiduciaries of the Tile Finishers Local

Union No. 77 of NY & NJ Pension, Welfare and Annuity Funds and John J. Flynn, Louis Weir, Dominic Spano, Kenneth Lambert, Frank Stupar, James Boland, Gerald O'Malley, Joseph Bramlett, George Harbison, Paul Songer, Charles Velardo, Eugene George, Matthew Aquiline, Dan Schiffer, Joseph Speranza, Jr. and Vincent Delazzero as Trustees and Fiduciaries of the Bricklayers & Trowel Trades International Pension, Health and Annuity Funds for an Order for Turnover, and the Court being satisfied that Plaintiffs have requested, pursuant to applicable procedures, an attachment of the bank account of the Defendants BRB Ceramic Tile Marble & Stone, Inc. and William J. Lardieri in order to satisfy a judgment filed in the matter as set forth in Plaintiffs' affidavit filed in support of their application,

IT IS, on this 14th day of ^{May}~~April~~ 2008,

ORDERED, that Commerce Bank, 9000 Atrium Way, Mount Laurel, New Jersey, turn over all money or property, in an amount not exceeding \$357,683.03, that may be found in any account or accounts held by Defendants BRB Ceramic Tile Marble & Stone, Inc. and William J. Lardieri to Plaintiffs via check payable to "Local 7 Tile Funds Clearing Account" and transmitted to counsel for Plaintiffs, Barnes, Iaccarino, Virginia, Ambinder & Shepherd, PLLC, at 111 Broadway, 14th Floor, New York, New York 10006; and

IT IS FURTHER ORDERED that a copy of this Order for Turnover shall be served upon counsel for Defendants and Commerce Bank by regular mail within ten days from the date hereof.

Dated: 5/14/08

A handwritten signature in black ink, appearing to read "Faith S. Hochberg". The signature is fluid and cursive, with a large loop at the end.

FAITH S. HOCHBERG, U.S.D.J.